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Harold Cogdell, Jr.
Malcolm Graham
Don Lochman
James E. Mitchell, Jr.

Mayor Pro Tem Patrick De'Angelo Cannon

Patrick Mumford
Sara S. Spencer
John Tabor
Lynn Wheeler
Joe White

CITY COUNCIL MEETING
Monday, July 22, 2002

5:00 p.m.

Conference Center

Dinner Briefing
(See Table of Contents)

6:30 p.m.

Meeting Chamber

- **Invocation**
- **Pledge of Allegiance**
- **Citizens Forum**

7:00 p.m.

- **Awards and Recognitions**
- **Formal Business Meeting**

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5:00 P.M. DINNER BRIEFING CONFERENCE CENTER

1. **Out of the Shadows, a Plan to Reduce the Prevalence, Duration and Impact of Homelessness in Mecklenburg County**

Resources: Jerry Fox, Chair, Homeless Task Force
Vi Lyles, City Manager's Office

Time: 20 minutes

Synopsis of Presentation:

The Community Task Force on Homelessness was formed as a result of the findings revealed in *Living in the Shadows, An Assessment of Homelessness in Mecklenburg County*, presented to City Council and Board of County Commissioners in February 2001. Both boards, along with the United Way, Charlotte Chamber, Charlotte Center City Partners, the Knight Foundation and the Convention and Visitors Bureau, funded the planning effort.

The Task Force identified seven key objectives as the crux of the plan's "big picture: agenda to reduce homelessness". These include:

1. Bolster corporate, faith community and public sector commitment to expand and leverage financial and volunteer resources
2. Increase the supply of and access to affordable rental housing for those making 30% or less of the median income
3. Fill critical gaps in emergency and transitional housing
4. Step up efforts to empower and enable individuals who are homeless to re-enter and advance in the workforce
5. Increase access to and integration with mainstream behavioral and physical health services
6. Devote more attention and resources to the prevention of homelessness
7. Provide fair and reasonable solutions to addressing fears and concerns of business owners and residents about aggressive panhandling and other obtrusive or criminal behavior carried out by those spending time on the street, some of whom are homeless

Approximately 30 strategies are identified in the plan to advance this agenda. The creation of a community umbrella organization to coordinate efforts to address homelessness on an ongoing basis is the Task Force's top priority for action.

Future Action:

On August 26th, the Task Force will ask City Council to endorse the Strategic Plan on Homelessness to address homelessness in

Mecklenburg County. The Mecklenburg County Board of Commissioners unanimously endorsed the plan at its July 9, 2002 meeting. Endorsing the overall plan does not imply that City Council is endorsing all the individual strategies proposed in the plan. Any strategy that would require City funding or specific policy action in the future would be discussed and approved by Council at that time.

Implementation of the plan will be a collaborative effort between the public and private sectors. The first course of action is to establish the proposed umbrella organization. A 10 to 12 member steering committee composed of Task Force members and other interested citizens will convene to establish the proposed umbrella organization by March 1, 2003. No public funding will be requested for this effort for at least the first three years of operation. Once established, this organization will be a key player in coordinating the implementation of the plan.

For each strategy identified in the plan, a lead entity for implementation has been identified. The lead entity will spearhead implementation, partnering with others who have mutual interests. The Task Force has identified the City of Charlotte as the lead entity responsible for initiating implementation for a number of the plan strategies. These include such activities as initiating text amendments for SROs and shelters, co-leading with the County to address crime and safety issues, addressing transportation issues and implementing the affordable housing plan. (The Summary of Key Objectives and Strategies in the appendix of the plan provides a quick overview of lead responsibilities.) Once the plan has been endorsed by both City Council and County Commission, a joint meeting with City and County management staff will be held to discuss next steps for implementation.

Attachment 1

Out of the Shadows, A Plan to Reduce the Prevalence, Duration and Impact of Homelessness in Mecklenburg County

2. Model Neighborhood Standards Implementation Matrix

Resource: Toni Tupponce, Neighborhood Development

Time: 25 Minutes

Synopsis of Presentation:

This presentation provides a summary of the draft model neighborhood standards for the Charlotte community. Participants of the Neighborhood Summit and the 7th Annual Neighborhood Symposium discussed components of a *model neighborhood* and resources necessary to achieve that status. Key to their discussion was an

understanding of the responsibilities and accountabilities for achieving success in neighborhoods. Indicators of model neighborhood status identified by the participants include the following:

- Community safety
- Well developed and maintained neighborhoods
- Nuisance abatement
- Cleanliness
- Transportation accessibility
- Strong neighborhood organizations
- Attractive, affordable housing

Staff prepared the draft model neighborhood standards based on input from the participants. The draft standards identify the indicator, vision, the City's current standard, proposed standards, accountabilities and proposed action steps.

Future Action:

The Neighborhood Summit and the Neighborhood Symposium participants will be asked to provide feedback on the draft document. Staff is still receiving comments from the community. The staff Neighborhood Cabinet will also review the proposed standards. A final document will be presented to City Council for action on August 26, 2002.

A matrix of the Draft Model Neighborhood Standards will be included in the Friday, July 19th Council-Manager memo.

3. Economic Development Committee Report on the Architect and Urban Design Selection Process for Arena Area

Committee Chair: Lynn Wheeler

Resource: Jim Schumacher, Engineering and Property Management

Time: 30 minutes

Synopsis of Presentation:

See agenda item sent in Friday, July 19th Council-Manager Memo.

4. Restructuring Government Committee Report on Small Business Enterprise Recommendations

Committee Chair: Joe White

Resource: Vi Lyles, City Manager's Office

Time: 15 minutes

Synopsis of Presentation:

This presentation provides a summary of the Restructuring Government Committee's review and recommendations for the Small Business Enterprise (SBE) Program.

On June 24th, the Restructuring Government Committee met to continue its review and discussion of the Stakeholders Committee recommendations for a Small Business Enterprise program. The Restructuring Government Committee unanimously approved the following Stakeholders Committee SBE program recommendations:

- Small business definition
- Revision of the informal contracting and procurement practices
- Development of a small business center
- Development of a virtual business incubator
- Continuation of training and education initiatives
- Establishment of a small business loan program

The Committee recommended the establishment of a task force to develop the small business loan fund. The FY2003 budget includes \$1.25 million to fund program recommendations. These recommendations will allocate approximately \$420,000 of that amount.

Future Action:

Council will be asked to approve the Restructuring Government Committee's recommendation for the Small Business Enterprise Program during its July 22nd meeting. The Restructuring Government Committee will also review the staffing and reorganization for the program once the legislature makes a determination on the City's request to implement the SBE Outreach program component.

**6:30 P.M. CITIZENS FORUM
MEETING CHAMBER**

**7:00 P.M. AWARDS AND RECOGNITIONS
MEETING CHAMBER**

CONSENT

- 5. Consent agenda items 26 through 49 may be considered in one motion except those items removed by a Councilmember. Items are removed by notifying the City Clerk before the meeting.**

PUBLIC HEARING

6. Public Hearing on Voluntary Annexation of Property Located off Reames Road (McIntyre Subdivision)

Action: A. Hold a public hearing for the voluntary annexation of the McIntyre Subdivision; and

B. Adopt an ordinance with an effective date of July 23, 2002 to extend the corporate limits to include this property.

Staff Resources: Jonathan Wells, Planning Commission
Mike Boyd, City Attorney's Office

Policy:

City Annexation Policy and State Annexation Statutes

Explanation:

The purpose of the public hearing is to obtain community input on the proposed voluntary annexation.

Centex Homes and Mildred and Walter Nelson own the properties in this annexation petition area. The property contains approximately 167.9 acres and is located on the west side of Reames Road south of its intersection with Vance Road. This property is known as the McIntyre Subdivision. The petitioner has submitted a subdivision application to develop a mixed-density residential development upon the property. The property does share a boundary with the current City limits, and remains largely undeveloped, although some grading and clearing have been undertaken.

The petitioners request this action to be allowed to

- Proceed with the subdivision platting using City roadway standards, to which the platted subdivision conforms
- To offer City services to prospective homebuyers and
- To relieve these homebuyers of the uncertainties of a future annexation

No additional personnel or equipment is expected to be required for this annexation.

The City Clerk has certified the petition as to its sufficiency and a resolution was adopted by City Council establishing July 22, 2002 as the date for the public hearing. The notice has been published in the *Charlotte Observer*. The requirement that the six Mecklenburg towns be provided 60 days' notice of City Council action on this petition has been waived, inasmuch as all six

towns have furnished letters relieving the City of the 60-day notice requirement.

Attachment 2

Certificate of Sufficiency

Annexation Ordinance

Map

ZONING

7. Rezoning Petition 2002-37

Action: Consider a decision on Petition 2002-37 by Bingham Family Limited Partnership for a change in zoning for approximately 23.8 acres located on the southwest corner of US 521 and Copper Mountain Boulevard from R-3 to NS.

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of the Major and Council, not excused from voting, in order to rezone the property.

This item was deferred from the July 15th Zoning Meeting due to the fact that the full council was not present.

The Zoning Committee voted unanimously to recommend approval of this petition, with the following modifications:

- Retail space will be limited to 30,000 square feet
- Townhomes will be a maximum of two stories in height
- Detached lighting in the townhome area will be limited to 10 feet in height
- Exterior materials will consist of masonry, mostly brick

Attachment 3

Zoning Committee Recommendation on Petition 2002-37.

8. Rezoning Petition 2002-46

Action: Consider a decision on Petition 2002-46 by HHHunt for a change in zoning for approximately 24.2 acres located on the west side of Monroe Road, south of Covedale Drive and north of Sardis Road North from I-1 and I-1(CD) to R-17MF(CD).

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of the Major and Council, not excused from voting, in order to rezone the property.

This item was deferred from the July 15th Zoning Meeting due to the fact that the full council was not present.

The Zoning Committee voted unanimously to recommend approval of this petition, with the following modifications:

- The site plan needs to indicate that the streamside S.W.I.M. buffer will remain undisturbed
- The site plan should clarify that the definition of a "Woodland Buffer" does not apply to the S.W.I.M. buffer
- The note regarding on-site lighting should exclude the use of lighting fixtures that direct light outward
- The note regarding the proposed bus shelter should be modified to clearly state that the petitioner would provide bus shelter at his expense as well as a location for the shelter
- The note on the plan referring to an internal sidewalk system should reference Section 12.529 of the zoning regulations. This section contains minimum standards for sidewalk connections to public streets. The schematic site plan included with the petition does not indicate compliance with this section
- Staff requests that the petitioner provide pedestrian scale lighting along the internal spine road
- The conditional note pertaining to right-of-way along Monroe Road would be dedicated and conveyed not dedicated or conveyed

Attachment 4

Zoning Committee Recommendation on Petition 2002-46.

9. Rezoning Petition 2002-61

Action: Consider a decision on Petition 2002-61 by Charlotte-Mecklenburg Historic Landmarks Commission for a change in zoning for approximately 0.7 acres located on the south side of Rea Road, east of Colony Road Extension from B-1 (CD) to R-3(CD).

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of the Major and Council, not excused from voting, in order to rezone the property.

This item was deferred from the July 15th Zoning Meeting due to the fact that the full council was not present.

The Zoning Committee voted unanimously to recommend approval of this petition.

Attachment 5

Zoning Committee Recommendation on Petition 2002-61.

10. Rezoning Petition 2002-74

Action: Consider a decision on Petition 2002-74 by Childress Klein Properties and The Keith Corporation for a change in zoning for approximately 155 acres located on the northerly side of Billy Graham Parkway, east of Tyvola Road from R-17MF, R-22MF and I-1(CD) to O-1(CD), I-1(CD) and I-1(CD) Site Plan Amendment.

Staff Resource: Keith MacVean, Planning

Explanation:

A protest petition has been filed and is sufficient to invoke the 20% rule requiring affirmative votes of $\frac{3}{4}$ of the Major and Council, not excused from voting, in order to rezone the property.

This item was deferred from the July 15th Zoning Meeting due to the fact that the full council was not present.

The Zoning Committee voted unanimously to recommend approval of this petition, with the following modifications:

- Outstanding transportation issues will be addressed prior to the vote on this petition
- The petitioners agreed to provide for future connectivity between the two sites
- The petitioner agrees to reduce the total new square footage to 1.5 million square feet
- Petitioner agreed to dedicate the 100-foot SWIM buffer to Mecklenburg County Parks and Recreation for future greenway
- Petitioner agreed to provide a 50-foot landscaped setback along Billy Graham Parkway

Attachment 6

Zoning Committee Recommendation on Petition 2002-74.

POLICY

11. City Manager's Report

12. Water Conservation Update

Action: Receive a report concerning water conservation in Charlotte-Mecklenburg.

Staff Resource: Doug Bean, Utilities

Explanation:

On Friday, July 12, 2002, N.C. Governor Mike Easley appealed to the federal government to designate 54 North Carolina counties – including Mecklenburg – as disaster areas due to severe drought. At the same time, while the Governor has not required mandatory conservation, he has requested these counties impose mandatory water restrictions.

Doug Bean, Charlotte-Mecklenburg Utilities Key Business Executive, will describe the water conservation program already put into place in Charlotte-Mecklenburg. These measures include:

- The WaterSmart conservation education program begun in Spring 2000. This year-round campaign emphasizes water-wise practices and has elicited a good response from the public as it enters its third season. The campaign includes news media blitzes and a paid advertising/promotions component, including radio and newspaper ads, billboards, and the “WaterSmart VW Beetle.” According to a 2001 survey, 59% of citizens are aware of the Water Smart campaign. 37.4% of those familiar with Water Smart say they have changed their watering habits. 47% of those who changed say they water less and 19.3% say they comply with requested watering times and water less (source: UNCC Urban Institute Fall 2001 Survey Results).
- New water conservation rates implemented in May 2001 and 2002 to provide customers with a financial incentive to conserve. The new water rate structure more fairly allocates the high cost of providing service to the customers who create demand due to non-essential lawn watering.
- Ensuring adequate water infrastructure through capital improvements, including the South water main.

This report is to inform the City Council on short and long term measures that will be implemented to further reduce water usage. Staff will continue to keep Council informed on the water conservation program.

13. Voices and Choices Quality of Life Resolution

Action: Adopt a Quality of Life Resolution, from Voices and Choices, confirming the local desire to protect Charlotte's quality of life.

Resources: Ralph Tharp and Kay Clark, Voices and Choices

Explanation:

Since the 1998 Regional Environmental Summit, Voices and Choices has facilitated a dialogue to find regional solutions to regional issues. One Plan for the Region is a blueprint or vision to retain the region's quality of life. In support of this effort, local civic leaders across the Central Carolinas are being asked to pass a Quality of Life Resolution confirming the local desire to protect Charlotte's quality of life. City staff worked with Voices and Choices to develop the language for the attached resolution.

The resolution encourages

- Planned growth and development
- Orderly extension of community services
- Promotion of the economic viability of the City of Charlotte
- Protection of Charlotte's air, land, water and opens space resources

The resolution recognizes the actions the City has taken towards enhancing the quality of life in the region, such as

- Expanded tree protection standards
- Smart Growth Principles
- 2025 Integrated Transit and Land Use Plan

The resolution resolves to employ measures, such as

- Integrated land use, transportation, infrastructure, open space and natural resource planning
- Focus growth through policies that coordinate development with planned infrastructure and the expansion of local travel alternatives
- Continue improvements in zoning standards
- Preserve open space to support recreational opportunities
- Protect creeks, streams and drinking water supplies
- Achieve clean and healthful air
- Reduce the amount of waste sent to land fills

City Council received a briefing on this topic at the May 13th Business meeting.

Community Input:

Voices and Choices is developing a timeline of coordinated regional events that will culminate in the Regional Quality of Life Summit this fall. Passage

of the Quality of Life Resolution is one component of a five-stage process designed to create the basis for a sustainable quality of life effort in the Central Carolinas. These components include the following:

- Quality of Life Leaders Caucus. The regions elected officials reviewed the open space framework and implementation options, shared the Quality of Life Resolutions and articulated the resolve to preserve local and regional quality of life.
- Series of Quality of Life public forums.
- Quality of Life Gala.
- Quality of Life Summit in November 2002. A large-scale Summit, similar to the 1998 Regional Environmental Summit, will feature the complete Open Space Framework, introduce the implementation tools, and culminate in a signing ceremony for the regional Quality of Life resolutions.

Anson, Cabarrus, Catawba, Cleveland, Gaston, Lancaster, Lincoln, Mecklenburg, Rowan and York counties have passed similar versions of this resolution to date as have the municipalities of Albemarle, Concord, Monroe, Davidson, Huntersville, Kannapolis and Statesville.

Attachment 7

Quality of Life Resolution

14. Architect and Urban Design Selection Processes for Arena Area

This item will be sent in the Friday, July 19th Council-Manager Memo.

15. Small Business Enterprise Program Definition and Components



Action: Approve Restructuring Government Committee recommendation to approve the definition and program components for the Small Business Enterprise Program.

Committee Chair: Joe White

Staff Resource: Vi Lyles, Assistant City Manager

Policy:

City Council directed the City Manger to plan and initiate a public process to develop a local MWBD program that meets the community needs and the legal requirements. The process included appointment of a Stakeholders Committee made up of community leaders interested in creating equal opportunity in business development. The Stakeholders Committee presented its interim recommendations to City Council on June 3, 2002. The

recommendations were referred to the Restructuring Government Committee for further review and discussion.

Explanation:

The Restructuring Government Committee met on June 24, 2002 to discuss the following components of the MWBD Stakeholders Committee recommendations:

1. Define Small Business Enterprise as
 - Ownership of at least 70% of the interest in the business with additional qualification of net worth
 - Management and control of daily business operations
 - Being active in business a minimum of three months
 - Perform a commercially useful function
 - Sets a threshold size by either annual receipts or number of employees
2. Revise the City's Informal Contracting and Procurement Practices to develop a centralized vendor list, audit existing practices and include reporting on SBE use for informal contracts and procurement above \$10,000.
3. Develop a Small Business Center that provides technical assistance in partnership with other existing facilities and service providers; continuation of the City's participation in the Small Business Information Center.
4. Develop a Virtual Business Incubator through a central web site linking city services with other partners
5. Continue training and education initiatives to focus primarily on improving access to existing resources and identifying any initiatives that may not be available
6. Establish a Small Business Loan program through a consortium of banks and other private sector partnerships that would provide short-term working capital, long-term equity loans, and line of credit with a broader tolerance for risk. The Committee recommended the establishment of a task force to further develop this program.

Committee Discussion:

The Restructuring Government Committee met on June 24th with Council members White, Graham, Lochman, Cogdell, and Spencer in attendance. Anthony Lindsay and Bobby Drakeford from the Stakeholders Committee were also in attendance. The Committee asked several questions to clarify the intent of the recommendations as well as questions on the timeframe and resources for implementation. The Committee unanimously approved the recommendation of all of the program components with the following amendments.

The Committee recommended the establishment of a task force to develop the small business loan fund. The City Manager would appoint a task force representative of the financial institutions, the small business community and the Stakeholders Committee. The task force charge and process is attached.

The Committee will also review the staffing and organization for the SBE program after the determination is made on the SBE Outreach program that is currently before the legislature.

Funding:

The FY2003 budget includes \$1.25 million for the funding of program recommendations and the disparity study. These recommendations will allocate \$420,000 of that appropriation and provides for

- Development of a centralized, automated vendor source list
- Support for Small Business Center partnership with existing service providers
- One position to develop and administer the virtual business center website
- Increase in the cost of existing and prospective training and continuing education initiatives
- Development costs for the small business loan program

Attachment 8

Proposed Charge for Small Business Loan Task Force
Restructuring Government Committee meeting summary
Stakeholder Committee recommendations

BUSINESS

16. City of Charlotte Fair Housing Marketing Plan



Action: Approve the City of Charlotte's Affirmative Fair Housing Marketing Plan as required by the U.S. Department of Housing and Urban Development's HOME Program.

Staff Resource: Stanley Watkins, Neighborhood Development

Policy:

The City's Consolidated Plan identifies a need for affordable, safe and decent housing for low and moderate-income families. The FY2001 – 2005 Consolidated Plan, which established guidelines for the expenditure of federal housing funds, was approved by City Council on April 24, 2000.

Explanation:

Under HOME Program guidelines from the U.S. Department of Housing and Urban Development (HUD), the City of Charlotte must have an Affirmative Fair Housing Marketing Plan as a condition of receiving federal funds for housing activities. The City's affirmative fair housing marketing plan is designed to reach both underserved and mainstream populations, provide housing information, and attract eligible persons to available housing.

The City of Charlotte, through its policies, programs and practices, supports and promotes federal and local Fair Housing, Equal Opportunity and Age Discrimination Regulations which prohibits discrimination in housing based on an individual's race, color, national origin, gender, religion, familial status, physical challenge, or age.

Under the City's Fair Housing Marketing Plan, all owners/investors of rental and homebuyer projects with 5 or more HOME-assisted units are required to submit an Affirmative Fair Housing Marketing Plan. The Plan outlines the methods for providing information and attracting eligible persons in the housing market area (not including Section 8 and HOME-funded Tenant Based Rental Assistance). This process requires owner/investors to carry out the following:

1. Any person who qualifies for housing under the City of Charlotte's HOME Program income guidelines must have the right to be considered for a HOME-assisted unit in accordance with Fair Housing regulations. Preferences may be given to defined populations in special needs housing units such as the elderly, homeless or physically challenged.
2. Owners/investors must display the fair housing poster in rental/sales offices and use the Equal Housing Opportunity logotype or slogan in advertising (see attachment).

3. Owners/investors of rental property will contact local assisted housing providers, job-link centers, Community Relations Committee members, and referral agencies to inform them of available housing opportunities. Owners/investors may make use of commercial media advertising to fill vacancies in HOME-assisted rental units.
4. Owners/investors or housing non-profits offering sale/lease property will contact housing counseling agencies, other housing non-profits, lenders, and Realtors, and may make use of commercial media advertising to find potential homeowners or lease-purchase candidates.

Non-compliance of the above listed requirements (by owners and investors) will trigger sanctions up to and including disqualification from future participation in HOME funded programs.

The Community Relations Committee staff reviewed the Fair Housing Marketing Plan and concurred with it.

Attachment 9

City's Affirmative Fair Housing Marketing Plan

17. Vintage Trolley Improvements to Charlotte Convention Center



Action: Approve a contract with Fluor Daniel for Construction Manager at Risk services in the amount of \$6,799,200.

Staff Resource: Jim Schumacher, Engineering and Property Management

Explanation:

At the June 24, 2002 Business Meeting, the City Council approved a \$200,000 interim contract with Fluor Daniel. The award of this interim contract allowed Fluor Daniel to proceed with pre-construction tasks required to prepare for subcontractor bids and provide onsite management of the change order work now underway by Crowder Construction Company, while the "construction manager at risk" contract for the full scope of work was developed.

The Fluor Daniel contract includes the following components:

Additional Pre-Construction services	\$ 227,296
Construction management fee	\$ 300,000
Project Contingency	\$ 407,500
Construction funds	\$5,864,404
Total	\$6,799,200

On June 24, the City Council also approved the City Manager to negotiate a change order with Crowder Construction Company for a portion of the convention center work up to \$2,782,500. Although Crowder was able to substantiate most of their cost proposal, value engineering and further negotiations resulted in the final amount of the change order being \$2,614,523. If other subcontractor bids also exceed the Construction Manager's estimate, additional funding will be necessary to complete the project. Bids lower than the estimate and/or use of the contingency may result in the existing budget being sufficient.

Background:

As presented by the City Engineer during the City Council's June 10th Dinner Briefing, construction of the trolley improvements in the Convention Center is subject to several constraints, such as:

- Completion as soon as possible in order to allow the trolley to serve the Center City;
- Coordination with already scheduled and potential additional conventions and activities in the building; and
- Integration with the bridge and other corridor improvements currently under construction.

Due to the high level of scheduling and coordination, the City Engineer recommended that a professional Construction Management firm be engaged to organize and manage the subcontractors.

The City Manager has selected Fluor Daniel of Greenville, South Carolina as the best firm to serve as the Construction Manager. This selection is primarily due to the availability of a key member of the Fluor Daniel team that served as Construction Manager when the Convention Center was built in the early 1990's. This individual will lead the project, benefited by his unique knowledge of the building and its methods of original construction, as well as his established relationship with the Convention Center staff.

The contract with Fluor Daniel will be based on the "construction manager at risk" process outlined in North Carolina statutes. Key features of this contracting method are:

- The Construction Manager directly subcontracts all of the construction work.
- The City pays the actual costs of subcontracts, plus the Construction Manager's fees.
- The Construction Manager is "at risk" for cost overruns after a "Guaranteed Maximum Price" is established.

Funding:

Charlotte Convention Center Capital Investment Plan

18. Water and Sewer Revenue Refunding Bonds

Action: **A. Approve a resolution adopting the bond order that provides for the sale of up to \$140,000,000 of Water and Sewer Revenue Refunding Bonds Series 2002C; and**

B. Approve a resolution authorizing the approval, execution and delivery of various documents in connection with the sale of Water and Sewer Revenue Refunding Bonds, Series 2002C.

Staff Resource: Greg Gaskins, Finance

Explanation:

On February 12, 2002 Council authorized staff to take the steps necessary to complete the bond sale for up to \$325,000,000 to issue new money bonds and refunding bonds. New money bonds for \$175,465,000 were sold on February 27, 2002. The refunding bonds were not sold because of market conditions and sufficient savings were not available. The final documents did not include any references to the refunding bonds.

This action authorizes a new bond order and new documents so that the City will be able to act quickly if the market moves favorably. The Local Government Commission approved issuing up to \$140,000,000 of refunding bonds on July 2, 2002 based on our previous request. Staff plans to refund a portion of the 1999 and 2000 Water and Sewer Revenue Bonds. If savings of approximately 6% of refunded principal are available, the bonds will be sold.

The bond order and bond resolution are legal documents that Council is required to approve before the City can sell bonds.

Funding:

Water and Sewer Capital Investment Plan

Attachment 10

Resolutions

19. General Obligation Bond Referendum

Action: **Approve three resolutions authorizing staff to proceed with the necessary actions to conduct a general obligation bond referendum on November 5, 2002. The referendum will request voter approval for \$80,000,000 of Street Bonds and \$20,000,000 of Housing Bonds.**

Staff Resource: Greg Gaskins, Finance

Explanation:

The resolutions specifically authorize notice of intent to apply to the Local Government Commission for approval of bonds, application to the Local Government Commission for approval of the bonds and certain statements of fact concerning the proposed bonds.

The N.C. General Assembly is considering various pieces of legislation to secure local revenues. Staff continues to monitor the progress of the legislation and the estimated impact on state-collected local revenues.

On September 9, 2002 Council will be asked to hold a public hearing to adopt the bond order and to approve a resolution setting a special bond referendum. Depending on budget and legislative action by the State, the bond referendum process could be suspended by this date.

The proposed General Obligation bonds include:

Street – Roads	\$50 million
Street – South Corridor Transit Infrastructure	\$20 million
Street – Sidewalks	\$10 million
Housing – Affordable Housing Program	<u>\$20 million</u>
	\$100 million

Attachment 11

Schedule of projects

Resolutions

20. Nominations to Boards and Commissions

Action: Nominate citizens to serve as specified.

A. TREE ADVISORY COMMISSION

One vacancy exists for a position to begin immediately and serve until December 2003. Reginald King has resigned.

Attachment 12

Applications

21. Appointments to Boards and Commissions

Action: Consider Reappointment of Doug Bell

A. CHARLOTTE-MECKLENBURG PUBLIC ACCESS COMMITTEE

Doug Bell has asked that Council rescind his resignation from the Public Access Committee, and reappoint him to continue serving his term effective immediately. This term will expire June 2003 and then

Mr. Bell will be eligible to serve another two-year term, assuming attendance requirements are fulfilled.

Attachment 13

Application & Letter from Mr. Bell

22. Charlotte Center City Partners Board Appointments

Action: A. Reappoint existing Charlotte Center City Partners (CCCP) Board members; and

B. Appoint eight new CCCP Board members.

Staff Resource: Matt Bronson, Budget and Evaluation

Explanation:

Charlotte Center City Partners (CCCP) is the nonprofit organization the City contracts with to provide services and promotional activities in the Center City. These services and activities are funded through the special property tax assessment in the three Center City Municipal Service Districts. CCCP's bylaws require annual Council reappointment of existing Board members and appointment of new members nominated by the Board.

The following members to be reappointed to Board are:

Krista Tillman, Chair

Peter Ridder

Daniel Levine

Michael Marsicano

Mary McMillan

Jim Apple

Tom Hughes

Vicki Wilson-McElreath

Anthony Fox

Carroll D. Gray

Harvey Gantt

Jeff Davis

Mac Everett

Hugh L. McColl, Jr.

James R. Palermo

Parks Helms

Lynn Wheeler

In addition, a Board position will be given to a representative of Johnson and Wales University.

The CCCP Board has nominated the following individuals (membership classification for each individual is specified):

Paul Grube – Class A, At Large

Catherine P. Bessant – Class A, At Large

Stefan Latorre – Class A, At Large

Jim Dulin – Class A, At Large

Winston Kelly – Class A, At Large

Peter Pappas – Class B, Chamber

Pat Riley – Class B, Chamber
James Pughsley – Class F, Ex-Officio

CCCP's Board approved these nominees at its June 20, 2002 meeting. Council must either appoint this slate of nominees or request a revised slate of nominees from CCCP.

Attachment 14

Letter from CCCP requesting Council action
CCCP Board Membership

23. Historic South End Board Appointments

Action: Appoint existing and new members of the Historic South End Board.

Staff Resource: Matt Bronson, Budget and Evaluation

Explanation:

Historic South End (HSE) is the nonprofit organization the City contracts with to provide services and promotional activities in the South End area. These services and activities are funded through the special property tax assessment in the South End Municipal Service District. Similar to Charlotte Center City Partners, Historic South End has requested formal Council approval of its existing Board members and new members nominated by the Board.

In addition, HSE has requested that the Mayor appoint a Council member to serve in an ex-officio position on the HSE Board.

The following individuals are existing members of the HSE Board:

David Haggart, President	Teresa Gitomer
Mick Mulvaney	Lisa Taylor
Greg Pappanastos	Kimberly Haire
Adam Colvin	Skeeter Davis
Gaines Brown	Fred Bolt
Tony Pizzo	Stan Heiser
Tom Fassett	

The HSE nominated the following individuals:

John Stamas
Rick Thurmond
Gail Norman
John Utley

The HSE Board approved these nominees at its July 11, 2002 meeting. Council must either appoint this slate of nominees or request a revised slate of nominees from HSE.

Attachment 15

Letter from HSE requesting Council action
HSE Board Membership

24. NBA Negotiations

Action: Approve the Economic Development and Planning Committee recommendation to:

A. Authorize the City Manager to begin negotiations with the NBA as soon as feasible; and,

B. Enter into closed session to discuss negotiations and the parameters for those negotiations.

Committee Chair: Lynn Wheeler

Staff Resource: Pamela Syfert, City Manager

Explanation

The Economic Development and Planning Committee met on July 17 and unanimously approved (Wheeler, Graham, Cannon, Carter and Lochman) the above actions. Council members Mitchell and Tabor were also in attendance.

Committee Discussion

The Committee reviewed the arena process approved by City Council on May 28, 2002. The City Manager advised the Committee that given the NBA's interest in beginning negotiations, Council may wish to consider interrupting the process as approved and beginning negotiations with the NBA prior to completion of the process. Negotiations may impact aspects of the process, such as the financing model and the \$50 million of underwriting from the business community; therefore, it may be prudent to begin the negotiations in order to ascertain how the components of the process may be impacted.

25. Closed Session

Action: Adopt a motion pursuant to NCGS 143-318.11(a)(4) to go into closed session to discuss matters relating to the location of an industry or business in the City of Charlotte, including potential economic development incentives that may be offered in negotiations.

Introduction to CONSENT

The consent portion of the agenda is divided into two sections: Consent I and Consent II.

Consent I consists of routine items that have been approved in the budget and are low bid.

Consent II consists of routine items that have also been approved in the budget, but may require additional explanation.

Contracts awarded to Minority and Women Business Development (MWBD) certified companies are noted. The MWBD abbreviations are as follows:

ABE – Asian American

BBE-African American

HBE – Hispanic

NBE-Native American

WBE – Non-Minority Women

Disadvantaged Business Enterprise (DBE) is a federal program primarily used for Aviation and Transit. DBE is race neutral.

Contractors and Consultants

All contractors and consultants selections follow the Council approved process unless explained otherwise.

CONSENT I

26. Various Bids

A. FY03 Sanitary Sewer Rehabilitation Contract CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$3,879,923.94 by Azurix North America Underground Infrastructure, Inc. of Bessemer, Alabama. This project includes rehabilitation and replacement of old sewer lines, including point repairs, lateral replacement and manhole rehabilitation. This contract also provides for response by the contractor to various types of emergencies that may arise within the sewer system during the life of the contract.

B. Sanitary Sewer And Water Main Construction- CMU Reames Road 2001 Annexation Area

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$601,156.35 by B.R.S., Inc. of Richfield, North Carolina. This project consists of sewer pipe, water main pipe, manholes, fire hydrants, and various other appurtenances and erosion controls to serve the area between Interstate 77 and NC Highway 115 (Old Statesville Road).

C. Sanitary Sewer Construction–Downs Road Sewer Trunk and Street Mains CMU

Recommendation: The Charlotte-Mecklenburg Utilities Director recommends the low bid of \$160,617.56 by Buckeye Construction Company, Inc. of Canton, North Carolina. This project consists of gravity sewer pipe, manholes, and various other appurtenances and erosion controls beginning at an existing manhole located on Sugar Creek and extending along an unnamed tributary of Sugar Creek to and along Downs Road through easements acquired from various property owners.

D. Edwards Branch Watershed Improvement E&PM

Recommendation:

The City Engineer recommends the low bid of \$2,029,965 by Blythe Development Company of Charlotte, North Carolina. This project will reduce surface water pollution, flooding and erosion in the Edwards Branch Watershed area near the intersection of Independence Boulevard and Albemarle Road. Local streets include Sheffield Drive and Driftwood Drive. This is a joint project between the City of Charlotte and Mecklenburg County with funding from Charlotte Storm Water Services and The North Carolina Clean Water Management Trust Fund.

E. Oak Forest/Slagle Drive Area Drainage Improvements E&PM

Recommendation:

The City Engineer recommends the low bid of \$764,932.59 by Ferebee Corporation of Charlotte, North Carolina. This project will improve drainage systems in order to reduce flooding of homes, roads, and property as well as reduce channel erosion.

F. Oaklawn Cemetery Roadway Additions E&PM

Recommendation:

The City Engineer recommends the low bid of \$105,001.05 by 7 Star Construction Company, Incorporated of Rock Hill, South Carolina. The project will improve existing roads and construct two new roads within Oaklawn Cemetery to provide improved access to existing and new gravesites.

G. Runnymede/Woodlawn/Selwyn Intersection Improvements E&PM

Recommendation:

The City Engineer recommends the low bid of \$873,574.22 by United Construction of Charlotte, North Carolina. This project will make roadway improvements along Selwyn Avenue from Park Road to

Colony Road to reduce congestion and improve pedestrian safety. The project is funded under the 1996 Bonds and Smart Growth Transportation Initiatives.

H. Graham/Norris Intersection Improvements E&PM

Recommendation: The City Engineer recommends the low bid of \$572,616.55 by Ferebee Corporation of Charlotte, North Carolina. This project will improve the intersection of North Graham Street and Norris Avenue by widening travel lanes, adding left turn lanes to each leg of the intersection, and installing new sidewalk, curb and gutter and wheelchair ramps as part of the 2000 Transportation Bond projects, and the three-year vote to drive initiative.

I. Charlotte Fire Department Live Fire Simulator Building E&PM

Recommendation: The City Engineer recommends the low bid and five alternates of \$1,818,613 by Maxco, Inc. of Monroe, North Carolina. The scope of work includes construction of a new three story Live Fire Simulator Building (approximately 3,800 square feet total), simulator systems and all related site improvements, including demolition of the existing building located at the Police and Fire Training Academy, 1770 Shopton Road.

27 . In Rem Remedy

For In Rem Remedy #A-B , the public purpose and policy are outlined here.

Public Purpose:

- Eliminate a blighting influence in a Communities Within A City neighborhood.
- Reduce the proportion of substandard housing.
- Increase tax value of property by making land available for potential infill housing development.

Policy:

- Communities Within A City
- Community Safety Plan

The In Rem Remedy items were initiated from 3 categories:

1. Public Safety – Police and/or Fire Dept.
2. Complaint – petition by citizens, tenant complaint or public agency referral
3. Field Observation – concentrated code enforcement program

The In Rem Remedy item is listed below by category identifying the street address and neighborhood.

Complaint

- A. 2525 Booker Ave. (Washington Heights)

Public Safety

- B. 1218 Woodward Ave. (Double Oaks/Fairview Homes)

Complaint:

- A. 2525 Booker Ave.**

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 2525 Booker Ave. (Washington Heights Neighborhood) located in the Communities Within A City boundaries.

Attachment 16

Public Safety:

- B. 1218 Woodward Ave.**

Action: Adopt an ordinance authorizing the use of In Rem Remedy to demolish and remove the structure at 1218 Woodward Ave. (Double Oaks/Fairview Homes) located in the Communities Within A City boundaries.

Attachment 17

28. Refund of Property Taxes

Action: Adopt a resolution authorizing the refund of business privilege license payments made in error in the amount of \$10,862.83.

Attachment 18

Resolution

List of Refunds

29. Resolution of Intent to Abandon Street and Set Public Hearing for a Portion of Mark Way and Springview Road

Action: A. Adopt the Resolution of Intent to abandon a portion of Mark Way and Springview Road; and

B. Set a public hearing for August 26, 2002.

Attachment 19

Map

Resolution

30. Resolution of Intent to Abandon Street and Set Public Hearing for a portion of a 10-foot Alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane

Action: A. Adopt the Resolution of Intent to abandon a portion of a 10-foot Alleyway bounded by Independence Boulevard, East 8th Street, Oakland Avenue, and Hawthorne Lane; and

B. Set a public hearing for August 26, 2002.

Attachment 20

Map

Resolution

31. Peachtree Hills Voluntary Annexation-Set Public Hearing Date

Action: Adopt a resolution setting a public hearing for August 26, 2002 for a voluntary annexation of property known as the Peachtree Hills Subdivision.

Attachment 21

Resolution

Map

CONSENT II

32. Solid Waste Trucks

This item will be sent in the Friday, July 19th Council-Manager Memo.

33. Mallard Creek Water Reclamation Facility (WRF) Expansion

Action: A. Authorize the City Manager to terminate the contract with Danis Environmental Industries, Inc. for the Mallard Creek WRF Expansion to 12 MGD project; and

B. Authorize the City Manager to negotiate and execute agreement(s) with the surety and/or one or more contractors to complete the work under the Mallard Creek expansion contract in accordance with the terms of that contract and of the performance and payment bonds.

Staff Resource: Doug Bean, Utilities
Mike Boyd, City Attorney's Office

Explanation:

The City awarded a \$25,411,000 million contract to Danis Environmental Industries, Inc. on April 26, 1999 to expand the Mallard Creek Water Reclamation Facility from its current capacity to treat wastewater of 8 million gallons per day (MGD) to 12 MGD. Danis was required under that contract to complete its work by June 5, 2001. Through change orders, the substantial completion date was extended to June 10, 2002.

Throughout this project, Danis has had serious problems in doing the work under this contract, ranging from timely performance to safety problems to quality of work. A more detailed review of these problems and the legal implications for the City are addressed in a confidential memorandum provided to the Mayor and Council by the City Attorney's Office.

Danis Environmental Industries, Inc. has announced publicly that Danis will no longer be in the business of water and wastewater treatment plant construction. Danis has stated its intent to complete the work on this project and others in which it is currently involved. However, Danis continues to be behind on the work on this project and the quality of the work is lacking. Charlotte-Mecklenburg Utilities is attempting to work with Danis and the surety to determine whether it is possible for Danis to complete the work on this project in a satisfactory manner. If not, the City must terminate the contract with Danis and make demand on Danis' surety to complete the work under the contract. The surety has a number of options from which it could

choose to satisfy its obligations under the performance bond to provide for the completion of the work, including:

- Completing the work with contractors secured by the surety
- Securing one or more contractors acceptable to the City who would complete the work under contract with the City or
- Tendering payment to the City of the surety's financial liability under the performance bond

The Mallard Creek Wastewater Reclamation Facility is currently permitted to treat up to 8 MGD. While a permit has been issued to increase the permitted capacity of the facility to 12 MGD, the permit condition will not take effect until the work on this project has been completed. Wastewater flows into the facility are increasing and may exceed the current, permitted capacity of the facility in the near future. Until the work on the project is completed, the facility's ability to treat wastewater will continue to be adversely affected.

This action authorizes the City Manager to terminate the contract with Danis and proceed with contract negotiations and award to complete the project. Any contract(s) that are negotiated and awarded by the City Manager must be consistent with the terms of the contract awarded by Council to expand the facility in terms of the work to be performed and the price to be paid.

34. Site Investigation, Design and Inspection of Environmental Aspects-Cooper Environmental, Inc.

Action: Approve a contract with Cooper Environmental, Inc. for \$200,000 to provide site investigation, design and inspection of environmental aspects encountered on Utility projects and/or sites.

Staff Resource: Doug Bean, Utilities

Explanation:

This contract will provide services related to various environmental aspects on Charlotte-Mecklenburg Utility (CMU) projects and CMU facility locations. The services include groundwater sampling, soil testing for petroleum, lead, mercury, other contaminants, underground tank replacements and obtaining interpretations of regulatory guidelines. Cooper will provide a comprehensive plan, services, and procedures for specific CMU projects and facility locations as needed.

These services will help Utilities comply with regulatory laws that impact CMU projects. The consultant selected has the knowledge and expertise to advise Utilities as to the level of work needed to comply with the different regulations. Cooper brings an added benefit of specializing in environmental

engineering and this will enable CMU staff to minimize the amount of time to discover the accurate level of work that needs to be preformed.

Funding:

Sewer Capital Investment Plan

35. FY01 Contract V Water Main Rehabilitation Contract Renewal

Action: Approve Renewal #1 for \$2,085,600.30 with Heitkamp, Incorporated for continued rehabilitation of water mains for system improvement and/or maintenance in the FY 01 Contract V contract.

Staff Resource: Doug Bean, Utilities

Explanation:

This renewal will continue construction on aging and corroded water mains resulting in red water complaints, frequent breaks, and reduced flow rates and pressure. Rehabilitating these pipes by cleaning and lining with a protective coating is a cost effective way of restoring the pipes and protect against future corrosion with minimal disturbance to above ground features.

The contract document provides for renewal of the contract up to three times, at the City's option, as an incentive to the contractor for productivity and quality work. This renewal will increase the contract amount for FY 01 Contract V from \$2,085,600.30 to \$4,171,200.60.

MWBD:

Heitkamp will subcontract \$160,000 or 8% of this contract to two certified BBE firms, Victor Melton Construction for \$150,000 and \$10,000 to Conmat Development.

Funding:

Water Capital Investment Plan

36. CATS Bus Maintenance and Operations Facility

Action: Approve a contract with Parsons Brinckerhoff, Inc. to provide final design and construction administration services for CATS' second bus maintenance and operations facility at 3201 S. Tryon Street at a cost of \$3,498,373.

Staff Resource: Keith Parker, Charlotte Area Transit System

Explanation:

The Charlotte-Mecklenburg 2025 Transit/Land Use Plan embodies Smart Growth principles that call for an expansion of the area's public transit system to support a change in the area's land use patterns. The plan includes significant expansion of bus services to provide residents with an alternative to auto travel, support rapid transit investment, and transit-oriented development occurring in Mecklenburg County. The expansion of bus service requires construction of a new operating facility to store and maintain the expanded bus fleet. In August 2001, the Charlotte City Council approved a competitively procured contract with Parsons Brinkerhoff, Inc. (PB) for design services for such a facility. At that time, the Council awarded the first phase of the design which included conceptual design, site selection, and the required federal environmental analysis.

In April 2002, CATS made a presentation to Council regarding the selection of 3201 South Tryon Street as the site for the future bus facility in conjunction with the planned South Corridor Light Rail Maintenance Facility. With the site selected and the environmental work nearing completion, final design activities must begin with a goal of initiating construction in approximately one year. The planned 250 bus facility is scheduled to open in early 2005. The total project cost, including land acquisition for both the bus and rail facilities and a 10% contingency is anticipated to be approximately \$42 million.

This contract with Parsons Brinckerhoff for \$3,498,373 provides the final design and construction administration of a new Bus Maintenance and Operations Facility. The cost of these services is comparable to the cost of similar work for other building projects.

The Metropolitan Transit Commission and the Charlotte City Council have approved of the new bus operating facility as part of CATS' FY2003-2007 Capital Improvement Program.

DBE: A Disadvantaged Business Enterprise (DBE) goal of 13% was established for this project. The consultant has proposed a goal of 15.77%.

Funding:

CATS Capital Investment Plan (80% federal, 10% state, 10% local)

37. Transit Fareboxes

Action: Approve a contract with GFI Genfare to purchase up to 62 fareboxes for CATS expanded bus fleet for a total cost of \$576,600.

Staff Resource:

Keith Parker, Charlotte Area Transit System (CATS)

Policy:

This action is consistent with the 2025 Transit/Land Use Plan and Countywide Transit Services Study for the continued development and expansion of the transit system in the county and region-wide.

Explanation:

The FY2003 approved Capital Investment Plan includes the procurement of fareboxes to support the expansion of CATS bus fleet. Since 1998 GFI Genfare's fareboxes, supporting equipment and technology have been installed on the buses. As a result, GFI Genfare fareboxes have become the standard electronic fare collection system for CATS.

In order to maintain the standardization of fareboxes on all buses and compatibility to the operating systems, Council approved a sole source contract with GFI Genfare in August 2000. Council is now asked to approve a second sole source contract with GFI Genfare for the purchase of 10 fareboxes with the options to purchase up to an additional 52 fareboxes at a unit price of \$ 9,300. The \$9,300 is 6% less than the 1998 bid price.

As the transit system expands, it is essential that CATS continues to maintain standardization and compatibility in order to minimize technical problems arising from the use of several different types of fareboxes. Standardization eliminates the need for customers to learn to use various fare media as they transfer from one bus to another and enhances CATS' ability to provide and operate a seamless public transportation system.

North Carolina bid statute, G.S. 143-129 (f) allows sole sourcing when standardization or compatibility is an overriding consideration.

Funding:

CATS Capital Investment Plan (80% federal, 10% state, 10% local)

38. Ashley Park/Westerly Hills Neighborhood Improvement-Amendment #2

Action: Approve Amendment #2 to the agreement with Armstrong Glen, P. C. for \$249,814 for design phase services in the Ashley Park and Westerly Hills neighborhoods.

Staff Resource:

Bruce Miller, Engineering and Property Management

Explanation:

On February 12, 2001, Council approved an agreement with Armstrong Glen for \$243,870 for the planning phase of the Ashley Park and Westerly Hills Neighborhood Improvement project. On August 27, 2001, Council approved Amendment #1 for \$129,860 to provide storm water planning for the

Columbus Circle Capital Improvement Project (CIP). The neighborhood improvement project has now reached the design phase and this amendment will fund various activities, including design of curb and gutter, sidewalk, storm drainage, etc. Engineering and Property Management anticipates a future amendment to provide design services for the Columbus Circle project.

The standard citizen involvement process was used to gather community input.

Funding:

Neighborhood Capital Investment Plan

39. Environmental Permitting Services

Action: Approve Amendment #1 for \$200,000 with Carolina Wetland Services for Environmental Permitting Services.

Staff Resource:

Steve Sands, Engineering and Property Management

Explanation:

On August 27, 2001, City Council approved the original agreement with Carolina Wetland Services for \$150,000. The original agreement provided environmental permitting services in support of the Capital Improvement Program for a one year period. This amendment will provide funding to continue assisting the Charlotte Storm Water Services with environmental permitting of storm water projects in accordance with the requirements of the Clean Water Act, Sections 401 and 404 and the NC State Environmental Policy Act. The increased value of the amendment relative to the original agreement is based on the increased workload due to more stringent regulations and a larger number of capital improvement projects that require environmental permitting.

These state and federal environmental regulations require that the City obtain permits to perform certain types of work in streams, ponds, and wetlands. These permits ensure that possible negative environmental effects have been avoided, minimized or offset.

Funding:

Storm Water Operating Fund

40. Commonwealth/Morningside Storm Drainage Capital Improvements

Action: Approve an Amendment for \$187,795 with Finkbeiner, Pettis & Strout for engineering design services for the Commonwealth/Morningside Storm Drainage Capital Improvement project.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

The Commonwealth/Morningside Storm Drainage Capital Improvement project is one of Storm Water Services' capital improvement projects. The project, bounded by McClintock Road to the north, Independence Boulevard to the south, Morningside Drive to the east and St. Julian Street to the west, will reduce house and road flooding as well as channel erosion.

On August 25, 2000, the City Manager approved an agreement for \$63,987 with Finkbeiner, Pettis & Strout to provide planning services for the Commonwealth/Morningside Storm Drainage Capital Improvement project.

The planning phase has been completed and, as anticipated, an amendment is needed for the design phase services. These services will include additional alternative analyses, coordination with all applicable regulatory authorities, geotechnical or subsurface investigations, and final design of the project.

Funding:

Storm Water Capital Investment Plan

41. Engineering Services to Evaluate Charlotte-Mecklenburg's Storm Water Detention/Retention Policy

Action: Approve Amendment #2 for \$264,137 with Woolpert LLP for engineering services to support staff in evaluating and recommending improvements to the current Storm Water Detention/Retention Policy.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

Currently, the Charlotte-Mecklenburg Storm Water Detention/Retention Policy requires a new commercial and multi-family development to provide a drainage plan to manage the storm water runoff if 20,000 or more square feet of impervious ground cover (i.e. sidewalks, parking lots, and roof tops) is developed or created. One of the most commonly used methods to manage

storm water runoff is a detention basin. An example of this is a dry pond that fills up with water after a heavy rain and then releases the water slowly.

Staff believes that the current policy may allow development to occur without complete elimination of off-site erosion and flooding. In addition, staff believes that other methods are available that are less costly and better support community aesthetics. Furthermore, pending federal and state regulations may require developers to construct on-site measures that not only prevent erosion and flooding but also protect water quality.

In February 2000, staff worked with the Storm Water Advisory Committee (SWAC) to start a technical research and community involvement process to review and improve the current policy. The first step was to organize a stakeholder group that includes representatives from neighborhoods, land developers, environmental groups, and City and County staff. The next steps of the process have or will include investigation of field conditions, interview of citizens, research of other municipality policies, technical computations to study the short comings of existing detention policy and benefits of a revised detention policy, stakeholder group interaction to receive public input, and review and approval of staff recommendations by the SWAC and City Council.

A consultant was selected using the Council approved process to assist staff in evaluating the current policy. The City Engineer approved an original agreement with the consultant; Woolpert on February 1, 2000 for \$50,000 to determine the extent of needed policy improvements. On December 11, 2001 City Council approved Amendment #1 for \$198,350 for services including literature research, field investigation of sites, stakeholder meetings, documentation of an assessment of existing policies and proposed alternatives, and evaluation of a way to simplify detention basin calculations.

This amendment provides additional funding to complete the evaluations including field survey; computer modeling; evaluation of improved detention basin design; evaluation of downstream improvements; and evaluation of water quality control. This effort also includes performing cost-benefit analysis for any proposed changes to existing policy and regulations.

The results of the evaluations will be a recommendation of revisions to the Charlotte-Mecklenburg Storm Water Design Manual and supporting ordinances. These revisions will be presented to SWAC and City Council in March 2003.

Funding:
Storm Water Capital Investment Plan

42. Andover Road Storm Drainage Improvement

Action: Approve an Agreement for \$754,577 with The Isaacs Group for engineering services for the Andover Road Storm Drainage Improvement project.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

The Andover Road Storm Drainage Improvement project is a high priority capital project. The project will reduce street and house flooding in the neighborhood bounded by Providence Road, Sharon Amity, and Randolph Road. The Isaacs Group is completing planning and design services for the upper sections of the project. These sections are in construction and real estate acquisition.

Citizen comments received during easement acquisition resulted in staff re-evaluating the original design and investigating new system improvement alternatives. Results of the re-evaluation indicate that improvements must also be made at and downstream of Wendover Road in order to adequately address the flooding of streets and homes.

This agreement provides engineering planning and design services, including geotechnical investigations, for the area at and downstream of Wendover Road. Proposed improvements include:

- Installing culverts by tunneling under Wendover Road;
- Replacing culverts beneath Chadsford Drive and Wrenwood Lane;
- Adding a new pipe system down Vernon Drive;
- Excavating the channel between Wendover and Chadsford; and
- Evaluating and possibly modifying or replacing the pond, dam, and bridge at Stonebridge Lane.

Funding:

Storm Water Capital Investment Plan

43. Silver Stream Storm Drainage Improvements

Action: Approve an Amendment for \$221,150 with The Isaacs Group for engineering design services for the Silver Stream Storm Drainage Improvement project.

Staff Resource: Steve Sands, Engineering and Property Management

Explanation:

The Silver Stream Storm Drainage Improvement project is one of Storm Water Services' capital improvement projects. The project, bounded by Rea Road to the north and west, Providence Road to the east and Highway 51 to the south, will reduce house and road flooding as well as channel erosion.

On March 3, 1998, the City Engineer approved an agreement for \$40,000 with The Isaacs Group to provide field-surveying services for the Silver Stream Storm Drainage Improvement project.

On May 24, 1999, Council approved Amendment #1 to the agreement for \$104,915 to provide planning phase services. Additional storm water modeling services were required and the City Engineer approved Amendment #2 for \$29,900 on April 10, 2001.

The planning phase has been completed and, as anticipated in the original agreement, an Amendment is needed for the design phase services. These services will include coordination with all applicable regulatory authorities, geotechnical or subsurface investigations, and final design of the project.

Funding:

Storm Water Capital Investment Plan

44. Comprehensive Data Solutions Contract Amendment

Action: Approve an amendment, not to exceed \$149,760, to a contract between the Charlotte-Mecklenburg Police Department and Comprehensive Data Solutions for technical consulting, quality assurance, and project management.

Staff Resource: Major Kevin Wittman, Charlotte-Mecklenburg Police

Explanation:

Comprehensive Data Solutions (CDS) provides quality assurance, requirement identification, software testing, and project management support for the Police Department's new Computer Aided Dispatch System (CAD) and the Non-Emergency Police Services Outsourcing Project. CDS is also working on the development and testing of the National Incident Based Reporting System (NIBRS). CDS continues to monitor and enhance the KBCOPS Records Management System.

This action amends the contract with Comprehensive Data Solutions to provide continued support of KBCOPS and CAD and continue quality assurance testing and evaluation of existing projects. The consultant will also serve as a member of the requirements definition team on several new

technology initiatives to assist police officers, the Crime Lab, and Property Control.

Council approved the original contract with Comprehensive Data Solutions on June 26, 2000 and the first amendment on August 27, 2001. The requested amendment is for a period of 12 months and will not exceed \$149,760.

Funding:

CMPD FY03 Operating Budget and 911 Surcharge

45. Dance Hall License Fees Revision

Action: Approve revised Dance Hall license user fees for FY03, effective immediately through June 30, 2003.

Staff Resource: Greg Crystal, Police

Policy:

In 1997 City Council adopted a user fee policy. The policy is to recover 60% of fully allocated costs for regulatory services such as land development, fire inspection and vehicles for hire.

Explanation:

The FY03 user fees were approved as part of the budget process. At the June 24 Council meeting, Council asked staff to look at the Dance Hall license user fees again and report back to Council.

Earlier, police staff calculated the FY03 fee including officer enforcement effort. The revised FY03 fee only captures administrative time, which was the original intent.

The revised fees are shown in the following table.

Dance Hall Fees	FY02 Fee	FY03 Fee	Revised FY03 Fee
Application/Renewal Fee	\$230	\$705	\$235
License Fee	455	1,385	470
Additional Application Fee (per applicant)	25	80	30
Application Change Fee	50	40	50

The revised fees for FY03 will be effective upon approval by City Council and will be communicated through the application process.

46. Design Contract for Corporate Hangar

Action: A. Adopt a budget ordinance appropriating \$200,000 from the Airport Excluded Centers Fund Balance; and

B. Award an architectural design contract to Little & Associates of Charlotte in the amount of \$169,175 for design of a corporate hangar.

Staff Resource: Jerry Orr, Aviation

Explanation:

Coca Cola Bottling Co. Consolidated wants to lease a corporate hangar in the north corporate aviation area. The 30,000 square foot hangar will accommodate the storage and general maintenance of four aircraft, and support space.

Request for Qualifications were sent to firms listed in the city's List of Approved Architects and Engineers. Thirteen architectural firms submitted qualifications. A selection committee comprised of Airport Advisory Committee members and Coca Cola staff reviewed qualifications and selected Little & Associates of Charlotte. Little & Associates was selected based on their presentation, qualifications and experience with aircraft hangars

The design fee is 6.7% of the estimated construction costs of \$2.5 million, (within the range of prior airport projects of this type.)

The Airport Advisory Committee recommends this action.

MWBD:

Little and Associates has participation through consultant services (ABE and WBE.)

Funding:

Aviation Capital Investment Plan

47. Property Exchange

Action: Approve a property exchange between Jimmy and Sharon Strickland and the City of Charlotte in accordance with the Master Plan of the Airport.

Staff Resource: Jerry Orr, Aviation

Explanation:

In accordance with the FAA-required Airport Master Plan, the City wants to acquire the property of Jimmy and Sharon Strickland located at 3624 Marshall Avenue ("Strickland Property"). The Stricklands have agreed to

exchange their property for a piece of undeveloped land already owned by the City (Airport Property) located at 2405 Newberry Street.

The Strickland Property is a .313-acre tract with a 1318 S.F. building, with an appraised value of \$78,677. The Airport Property has an appraised value of \$56,484.00. The City will pay the Stricklands the difference of \$22,193 in value.

This proposed transaction was advertised on June 27, 2002 in The Charlotte Observer.

The Airport Advisory Committee recommends this action.

Funding:

Aviation Capital Investment Plan

48. Property Transactions

Action: Approve the following property acquisitions (A-L) and adopt the condemnation resolutions (M-TT).

For items A-C, the purchase price was determined by two independent appraisers and was reviewed by a third appraiser. Each appraisal takes into consideration the specific quality and quantity of the land. The tax value is determined on a more generic basis and will be higher or lower for land/house with certain attributes. Property is acquired per Federal Guidelines 49 CFR Part 24 of the Uniform Acquisition and Relocation Act of 1970. Acquisition costs are eligible for Federal Aviation Administration reimbursement.

*NOTE: Condemnation Resolutions are on file in the City Clerk's Office.

Acquisitions:

- A. Project:** Airport Master Plan Land Acquisition
Owner(s): Katherine F. Donahue ET AL
Property Address: * Dixie Road
Property to be acquired: 7.05 acres
Improvements: Vacant Land
Purchase Price: \$482,662
Zoned: I1
Use: Vacant Land

Tax Value: \$184,260
Tax Code: 141-271-02

- B. Project:** Airport Master Plan Land Acquisition
Owner(s): David C. Oliver
Property Address: 7745 Newell Road
Property to be acquired: .7 acres
Improvements: Single Family Residence
Purchase Price: \$105,100
Zoned: B3
Use: Single Family Residence
Tax Value: \$62,830
Tax Code: 113-131-11
- C. Project:** FAR Part 150 Land Acquisition
Owner(s): Betty C. Gantt
Property Address: 3522 Eagle Lake Drive
Property to be acquired: 25.3 acres
Improvements: Single Family Residence
Zoned: R3
Use: Single Family Residence
Tax Value: \$194,050
Tax Code: 141-071-21
- D. Project:** Davidson/Matheson Connector, Parcels #2, #3, #15, #17 and #19
Owner(s): Wellmon Family Limited Partnership
Property Address: 2428 Brevard Street, 514 East 28th Street, 529 Jordan Place, 451 East 28th Street and 501 East 28th Street
Property to be acquired: 54,064 sq.ft. (1.241 ac.) of Fee Simple, Right-of-Way and Permanent Utility Easement, plus 32,790 sq.ft. (0.753 ac.) of Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$225,600
Remarks: This acquisition is required for the Davidson/Matheson Connector Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: I-1 and I-2
Use: Storage Facility/Industrial
Tax Code: 083-051-01, 083-051-05, 083-067-11, 083-067-07 and 083-067-08
Total Parcel Tax Value: \$669,730
- E. Project:** Brookshire Boulevard Widening, Parcel #8,
Owner(s): Speedway SuperAmerica, LLC Formerly Emro Marketing Company
Property Address: 3814 Brookshire Boulevard

Property to be acquired: 1,404 sq.ft. (0.032 ac.) of Fee Simple, Right-of-Way, plus 1,658 sq.ft. (0.038 ac.) of Temporary Construction Easement

Improvements: Landscaping, Light Pole

Purchase Price: \$14,700

Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review.

Zoned: B-1

Use: Convenience Store/Commercial

Tax Code: 039-012-15

Total Parcel Tax Value: \$446,030

- F. Project:** Brookshire Boulevard Widening, Parcel #17,
Owner(s): Mecklenburg County ABC Board
Property Address: 4020 Brookshire Boulevard
Property to be acquired: 1,432 sq.ft. (0.033 ac.) of Fee Simple, Right-of-Way, Permanent Drainage Easement and Permanent Utility Easement, plus 1,470 sq.ft. (0.034 ac.) of Temporary Construction Easement
Improvements: Landscaping, Sign
Purchase Price: \$20,000
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-1
Use: Commercial/ABC Office
Tax Code: 039-012-22
Total Parcel Tax Value: \$348,520
- G. Project:** Freedom Drive/North Carolina Highway 27 Widening, Parcel #403
Owner(s): Kirtrick-Seldan Investments
Property Address: 3901 Freedom Drive
Property to be acquired: 8,538 sq.ft. (0.196 ac.) of Fee Simple
Improvements: All Buildings, Landscaping
Purchase Price: \$80,000
Remarks: This acquisition is required for the Freedom Drive/North Carolina Highway 27 Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: R-4
Use: Single Family Residential
Tax Code: 059-011-01
Total Parcel Tax Value: \$52,260
- H. Project:** Prosperity Church Road Widening-Phase II, Parcel #164 and #165
Owner(s): Villages of Leacroft Homeowners Association, Inc.

Property Address: Prosperity Church Road/Billingham Road

Property to be acquired: 21,208 sq.ft. (0.487 ac.) of Fee Simple

Improvements: Landscaping

Purchase Price: \$78,423

Remarks: This acquisition is required for the Prosperity Church Road Widening-Phase II Project. Compensation was established by an independent, certified appraisal and an appraisal review.

Zoned: R-3

Use: Vacant

Tax Code: 029-502-98

Total Parcel Tax Value: \$0

I. Project: Southwest Water Transmission Main, Parcel #33

Owner(s): Mae S. Butts

Property Address: 611 Toddville Road

Property to be acquired: 15,734 sq.ft. (0.361 ac.) of Permanent Easement, plus 20,057 sq.ft. (0.160 ac.) of Temporary Construction Easement

Improvements: Buffer Trees

Purchase Price: \$10,500

Remarks: This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by independent, certified appraisals in the area.

Zoned: I-1

Use: Warehouse/Industrial

Tax Code: 057-122-17

Total Parcel Tax Value: \$518,580

J. Project: Sharon View Road Sidewalk Project, Parcel #18,

Owner(s): John H. Kasler and Wife, Barbara P. Kasler

Property Address: 4800 Hardison Road

Property to be acquired: 339 sq.ft. (.001 ac.) of Permanent Storm Drainage Easement, plus 513 sq.ft. (.002 ac.) of Temporary Construction Easement

Improvements: None

Purchase Price: \$10,000

Agent: DDM/mhs

Remarks: This acquisition is required for the Sharon View Road Sidewalk Project. Compensation was established by independent, certified appraisal in the area.

Zoned: R-3

Use: Residential

Tax Code: 187-233-06

Total Parcel Tax Value: \$688,170

- K. Project:** Pence Road Sidewalk, Parcel #75
Owner(s): Robert Lee Digsby and Georgetta Thomas and Any Other Parties of Interest
Property Address: 7121 Harrisburg Road, 8710 and 8718 Pence Road
Property to be acquired: 3,594 sq.ft. (0.08 ac.) of Permanent Easement, plus 5,567 sq.ft. (0.12 ac.) of Temporary Construction Easement
Improvements: None
Purchase Price: \$17,850
Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review.
Zoned: B-ISCD
Use: Residential
Tax Code: 109-092-15, 109-092-16 and 109-092-17
Total Parcel Tax Value: \$149,660
- L. Project:** Brookshire Boulevard Widening, Parcel #7 and #11
Owner(s): McClure Land Company, Inc.
Property Address: 4019 Brookshire Boulevard
Property to be acquired: 16,401 sq. ft. (0.377 ac.) of Fee Simple, Right-of-Way, Permanent Utility Easement, Permanent Drainage Easement, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$35,525
Remarks: This acquisition is required for the Brookshire Boulevard Widening project. Compensation was established by two independent, certified appraisals and an appraisal review.
Zoned: B-2CD
Use: Strip Shopping Center
Tax Code: 039-015-06 and 039-015-07
Total Parcel Tax Value: \$183,120

Condemnations:

- M. Project:** Southwest Water Transmission Main, Parcel #51
Owner(s): Robert H. Stone, Jr. and Any Other Parties of Interest
Property Address: 2101, 2029, 2031, 2047, 2055, and 2063 Toddville Road
Property to be acquired: 20,643 sq.ft. (.473 ac.) of Permanent Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$3,800
Remarks: This acquisition is required for the Southwest Water Transmission Main Project. Compensation was established by an independent, certified appraisal and an appraisal review.

City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Single Family Residential

Tax Code: 059-092-02, 059-092-03, 059-092-04, 059-092-05, 059-092-06, and 059-092-07

Total Parcel Tax Value: \$0

- N. Project:** Pence Road Sidewalk, Parcel #45
Owner(s): Holly Grove Homes Associates, Inc. and Any Other Parties of Interest
Property Address: 7645 Holly Grove Court
Property to be acquired: 2,565 sq.ft. (0.059 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$5,025
Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-12
Use: Multi-Family Residential
Tax Code: 109-063-74
Total Parcel Tax Value: \$0
- O. Project:** Pence Road Sidewalk, Parcel #47
Owner(s): Keith R. Moore and Wife, Terry D. Moore and Any Other Parties of Interest
Property Address: 7716 and 7718 Pence Road
Property to be acquired: 1,551 sq.ft. (0.036 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$1,950
Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-1
Use: Single Family Residential/Office Warehouse
Tax Code: 109-061-54
Total Parcel Tax Value: \$0
- P. Project:** Pence Road Sidewalk, Parcel #48
Owner(s): Jerry Lynn Sneed and Wife, Mary R. Sneed and Any Other Parties of Interest

Property Address: 7720 and 7726 Pence Road
Property to be acquired: 2,480 sq.ft. (0.057 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$1,775

Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-1

Use: Industrial Warehouse

Tax Code: 109-061-55

Total Parcel Tax Value: \$195,00

- Q. Project:** Pence Road Sidewalk, Parcel #49
Owner(s): C.& J. Enterprises, Inc. (Formerly Glover & Todd), a North Carolina Partnership, Glover & Todd, a North Carolina General Partnership and Any Other Parties of Interest

Property Address: 7732 Pence Road

Property to be acquired: 3,192 sq.ft. (0.073 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$2,200

Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by appraisals made in the area. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-1

Use: Warehouse/Warehouse/Industrial

Tax Code: 109-061-06

Total Parcel Tax Value: \$198,820

- R. Project:** Pence Road Sidewalk, Parcel #51
Owner(s): Sophia Investments, Inc. and Any Other Parties of Interest

Property Address: 7816 Pence Road

Property to be acquired: 3,976 sq.ft. (0.091 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$2,775

Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: I-1
Use: Industrial/Residential
Tax Code: 109-061-04
Total Parcel Tax Value: \$87,950

- S. Project:** Pence Road Sidewalk, Parcel #56
Owner(s): Pierce Realty Company and Any Other Parties of Interest
Property Address: 7940, 8110, 7900-7950 Pence Road
Property to be acquired: 40,634 sq.ft. (0.933 ac.) of Fee Simple, Permanent Drainage Easement, Permanent Utility Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$44,950
Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-1
Use: Industrial
Tax Code: 109-061-01, 109-084-78, 109-084-79
Total Parcel Tax Value: \$1,799,970
- T. Project:** Pence Road Sidewalk, Parcel #74
Owner(s): Wal-Mart Stores, Inc. and Congress Street Exchange Fund and Any Other Parties of Interest
Property Address: 9113 Albemarle Road
Property to be acquired: 2,731 sq.ft. (0.062 ac.) of Permanent Utility Easement, Permanent Sidewalk plus Temporary Construction Easement
Improvements: None
Purchase Price: \$6,400
Remarks: This acquisition is required for the Pence Road Sidewalk Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-15CD
Use: Commercial
Tax Code: 109-092-10A
Total Parcel Tax Value: \$2,822,870
- U. Project:** Neighborhood Improvements, Villa Heights-Phase III, Parcel #18
Owner(s): Donald A. Poole and Any Other Parties of Interest
Property Address: 2501 The Plaza
Property to be acquired: 2,680 sq.ft. (.062 ac.) of Permanent Sidewalk Easement plus Temporary Construction Easement

Improvements: None

Purchase Price: \$2,050

Remarks: This acquisition is required for the Neighborhood Improvements, Villa Heights-Phase III Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: B-1

Use: Commercial

Tax Code: 083-143-03

Total Parcel Tax Value: \$371,280

- V. **Project:** Walker Road Sidewalk Improvements, Parcel #15
Owner(s): TCIF, LLC and Any Other Parties of Interest
Property Address: 4300 Walker Road
Property to be acquired: 1,414 sq.ft. (.030 ac.) of Fee Simple
Improvements: None
Purchase Price: \$3,100
Remarks: This acquisition is required for the Walker Road Sidewalk Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Single Family Residential/Vacant
Tax Code: 157-132-11
Total Parcel Tax Value: \$138,490
- W. **Project:** McDowell Creek Waste Water Treatment Plant-Off Site Water Main, Parcel #3
Owner(s): Larry D. Sherman and Any Other Parties of Interest
Property Address: 6300 Jim Kidd Road
Property to be acquired: 4,595 sq.ft. (.105 ac.) of Permanent Water Main Easement and Temporary Construction Easement
Improvements: None
Purchase Price: \$1,800
Remarks: This acquisition is required for the McDowell Creek Waste Water Treatment Plant-Off Site Water Main Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Single Family Residential
Tax Code: 013-062-19
Total Parcel Tax Value: \$106,930
- X. **Project:** Pence Road Streetscape, Parcel #24
Owner(s): Betty A. Dunmeyer and Any Other Parties of Interest

Property Address: 6925 Carriageway Lane
Property to be acquired: 730 sq.ft. (0.017 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: Large Pine Tree
Purchase Price: \$1,550
Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 109-026-57
Total Parcel Tax Value: \$75,560

- Y. Project:** Pence Road Streetscape, Parcel #23
Owner(s): Samuel W. Mudd and Wife, Deborah A. Mudd and Any Other Parties of Interest
Property Address: 6919 Carriageway Lane
Property to be acquired: 755 sq.ft. (0.018 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$825
Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 109-026-56
Total Parcel Tax Value: \$91,500
- Z. Project:** Pence Road Streetscape, Parcel #25
Owner(s): Robert C. Giles and Any Other Parties of Interest
Property Address: 6931 Carriageway Lane
Property to be acquired: 1,169 sq.ft. (0.027 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: Large Bradford Pear Tree and Pampas Grass
Purchase Price: \$2,525
Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3

Use: Residential
Tax Code: 109-026-58
Total Parcel Tax Value: \$83,720

- AA. Project:** Pence Road Streetscape, Parcel #26
Owner(s): Paulette A. Chapman and Any Other Parties of Interest
Property Address: 6937 Carriageway Lane
Property to be acquired: 1,248 sq.ft. (0.029 ac.) of Permanent Sidewalk and Utility Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$825
Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 109-026-59
Total Parcel Tax Value: \$88,580
- BB. Project:** Pence Road Streetscape, Parcel #35
Owner(s): Theresa C. Greene and Husband, Marc Greene and Any Other Parties of Interest
Property Address: 6738 Raeburn Lane
Property to be acquired: 1,177 sq.ft. (0.027 ac.) of Permanent Sidewalk and Utility Easement, Permanent Drainage Easement, Permanent Utility Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,600
Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-3
Use: Residential
Tax Code: 109-042-16
Total Parcel Tax Value: \$94,580
- CC. Project:** Pence Road Streetscape, Parcel #37
Owner(s): Heatherwood Association and Any Other Parties of Interest
Property Address: 7220 and 7304 Pence Road
Property to be acquired: 8,479 sq.ft. (0.195 ac.) of Permanent Sidewalk and Utility Easement, Permanent

Drainage Easement, Permanent Utility Easement plus
Temporary Construction Easement

Improvements: None

Purchase Price: \$1,950

Remarks: This acquisition is required for the Pence Road Streetscape Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-3

Use: Vacant

Tax Code: 109-042-97 and 109-042-98

Total Parcel Tax Value: \$0

- DD. Project:** Edward Branch Watershed Improvements, Parcel #57
Owner(s): Garrett A. Van Dreel and Wife, Ludmila Van Dreel and Any Other Parties of Interest
Property Address: 4016 Southgate Drive
Property to be acquired: 2,827 sq.ft. (0.065 ac.) of Permanent Storm Drainage/Conservation Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$6,875
Remarks: This acquisition is required for the Edwards Branch Watershed Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Residential
Tax Code: 131-113-53
Total Parcel Tax Value: \$100,100
- EE. Project:** Edward Branch Watershed Improvements, Parcel #72
Owner(s): Emma Veronica Street and Any Other Parties of Interest
Property Address: 3716 Winterfield Place
Property to be acquired: 1,390 sq.ft. (0.032 ac.) of Permanent Storm Drainage/Conservation Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$2,450
Remarks: This acquisition is required for the Edwards Branch Watershed Improvements Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-4
Use: Residential

Tax Code: 131-051-15
Total Parcel Tax Value: \$87,300

- FF. Project:** Brookshire Boulevard Widening, Parcel #2 and #5
Owner(s): Pepperwood, Inc. and Any Other Parties of Interest
Property Address: 121 North Linwood Avenue and 114 North Crigler Street
Property to be acquired: 1,605 sq.ft. (0.037 ac.) of Temporary Construction Easement
Improvements: Landscaping
Purchase Price: \$5,845
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1CD
Use: Race Trac Gas/Convenience Store
Tax Code: 039-018-01
Total Parcel Tax Value: \$102,830
- GG. Project:** Brookshire Boulevard Widening, Parcel #22 and #23
Owner(s): Pert Investment, LLC and Any Other Parties of Interest
Property Address: 4200 Brookshire Boulevard and 202 North Cloudman Street
Property to be acquired: 6,698 sq.ft. (0.154 ac.) of Fee Simple, Right-of-Way, Permanent Utility Easement plus Temporary Construction Easement
Improvements: Light Pole, Sign and Landscaping
Purchase Price: \$42,310
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-2CD
Use: Exxon Gas/Convenience Store
Tax Code: 039-044-09 and 039-044-07
Total Parcel Tax Value: \$470,080
- HH. Project:** Brookshire Boulevard Widening, Parcel #6
Owner(s): James L. Fulmer and Wife, Nancy H. Fulmer and Edward P. Pickett and Wife, Norva M. Pickett and Any Other Parties of Interest
Property Address: 3900 Rozzelles Ferry Road
Property to be acquired: 3,915 sq.ft. (0.090 ac.) of Permanent Utility Easement plus Temporary Construction Easement

Improvements: Large Oak Trees

Purchase Price: \$2,000

Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-22MF

Use: Single Family Residential

Tax Code: 039-012-16

Total Parcel Tax Value: \$58,770

- II. Project:** Brookshire Boulevard Widening, Parcel #9
Owner(s): FFCA/IPI 1984 Property Company, Bojangles Corporation and Any Other Parties of Interest
Property Address: 3900 Brookshire Boulevard
Property to be acquired: 5,113 sq.ft. (0.117 ac.) of Fee Simple, Right-of-Way, Permanent Drainage Easement, plus Temporary Construction Easement
Improvements: Light Poles, Sign and Landscaping
Purchase Price: \$26,825
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by two independent, certified appraisals and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Fast Food
Tax Code: 039-012-04
Total Parcel Tax Value: \$434,810
- JJ. Project:** Brookshire Boulevard Widening, Parcel #19
Owner(s): Fannie Lee Keistler Estate and Any Other Parties of Interest
Property Address: 201 North Hoskins Road
Property to be acquired: 28,579 sq.ft. (0.656 ac.) of Fee Simple, Right-of-Way, Permanent Utility Easement, plus Temporary Construction Easement
Improvements: Brick Building
Purchase Price: \$102,625
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Commercial
Tax Code: 039-036-13
Total Parcel Tax Value: \$149,940

- KK. Project:** Brookshire Boulevard Widening, Parcel #32 and #33
Owner(s): W.H. Keistler, Jr. and Dorothy Keistler and Any Other Parties of Interest
Property Address: 4425 and 4429 Brookshire Boulevard
Property to be acquired: 1,421 sq.ft. (0.033 ac.) of Permanent Utility Easement plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,000
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: I-1
Use: Warehouse/Commercial
Tax Code: 039-034-19 and 039-034-20
Total Parcel Tax Value: \$584,510
- LL. Project:** Brookshire Boulevard Widening, Parcel #34
Owner(s): Fannie Lee Keistler Estate and Any Other Parties of Interest
Property Address: Brookshire Boulevard
Property to be acquired: 1,280 sq.ft. (0.029 ac.) of Fee Simple, Right-of-Way, plus Temporary Construction Easement
Improvements: None
Purchase Price: \$575
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.
Zoned: R-22MF
Use: Single Family Residential/Vacant
Tax Code: 039-043-10
Total Parcel Tax Value: \$1,500
- MM. Project:** Brookshire Boulevard Widening, Parcel #39,
Owner(s): Fannie Lee Keistler Estate and Any Other Parties of Interest
Property Address: Black Avenue
Property to be acquired: 5,457 sq.ft. (0.125 ac.) of Fee Simple, Right-of-Way plus Temporary Construction Easement
Improvements: None
Purchase Price: \$1,400
Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-5
Use: Single Family Residential/Vacant
Tax Code: 039-042-10
Total Parcel Tax Value: \$72,790

- NN. Project:** Brookshire Boulevard Widening, Parcel #41,
Owner(s): Fannie Lee Keistler Estate and Any Other Parties of Interest

Property Address: Plainwood Drive
Property to be acquired: 2,779 sq.ft. (0.064 ac.) of Fee Simple, Right-of-Way, Permanent Utility Easement, plus Temporary Construction Easement

Improvements: None
Purchase Price: \$500

Remarks: This acquisition is required for the Brookshire Boulevard Widening Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-5
Use: Single Family Residential/Vacant
Tax Code: 039-041-27
Total Parcel Tax Value: \$6,000

- OO. Project:** Sanitary Sewer to Serve Mulberry Pond Subdivision, Parcel #1

Owner(s): Alpine Village, Harvey Gouch and Any Other Parties of Interest

Property Address: 4925 Freedom Drive
Property to be acquired: 10,503 sq.ft. (.241 ac.) of Sanitary Sewer Easement plus Temporary Construction Easement

Improvements: None
Purchase Price: \$3,575

Remarks: This acquisition is required for the Sanitary Sewer to Serve Mulberry Pond Subdivision Project. Compensation was established by an independent, certified appraisal and an appraisal review. City Staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-17MF, R-3 and R-4
Use: Manufactured Home Park
Tax Code: 059-061-14
Total Parcel Tax Value: \$0

- PP. Project:** Freedom Drive (NC 27) Widening, Parcel #400
Owner(s): Joseph G. Marion and Wife, Mildred Y. Marion and Any Other Parties of Interest

Property Address: 3801 Freedom Drive
Property to be acquired: 6,185 sq. ft. (0.142 ac.) of Fee Simple

Improvements: Total Take – Buildings, Landscaping

Purchase Price: \$48,700

Remarks: This acquisition is required for the Freedom Drive (NC 27) Widening project. Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.

Zoned: R-4

Use: Single Family Residential

Tax Code: 059-012-16

Total Parcel Tax Value: \$32,230

- QQ. Project:** Brookshire Boulevard Widening, Parcel #10
Owner(s): Nash Properties, LLC and Any Other Parties of Interest
Property Address: 3930 Brookshire Boulevard
Property to be acquired: 1,910 sq. ft. (0.044 ac.) of Fee Simple, Right-of-Way, plus permanent Drainage Easement and Temporary Construction Easement
Improvements: Sign, Sign Pole and Parking Barrier Posts
Purchase Price: \$15,800
Remarks: This acquisition is required for the Brookshire Boulevard Widening project. Compensation was established by an independent, certified appraisal and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Restaurant/Commercial
Tax Code: 039-012-14
Total Parcel Tax Value: \$471,010
- RR. Project:** Brookshire Boulevard Widening, Parcel #12
Owner(s): Shreeji Properties, Inc. c/o Chad Patel and Any Other Parties of Interest
Property Address: Brookshire Boulevard
Property to be acquired: 4,305 sq. ft. (0.099 ac.) of Fee Simple, Right-of-Way, and Temporary Construction Easement
Improvements: Sign, Sign Lights and Pavement
Purchase Price: \$20,900
Remarks: This acquisition is required for the Brookshire Boulevard Widening project. Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-2CD
Use: Shop Strip/Commercial
Tax Code: 039-015-08
Total Parcel Tax Value: \$617,320

- SS. Project:** Brookshire Boulevard Widening, Parcel #4
Owner(s): Siroos Amiri, Parin Amiri, Hassan Radmanesh, Lenrae Weaver, Ali Bahmanyar, Laura Bahmanyar and Nastaran Robinson and Any Other Parties of Interest
Property Address: 3800 Brookshire Boulevard
Property to be acquired: 2,133 sq. ft. (0.049 ac.) of Fee Simple, Right-of-Way, plus Permanent Utility Easement and Temporary Construction Easement
Improvements: None
Purchase Price: \$7,000
Remarks: This acquisition is required for the Brookshire Boulevard Widening project. Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Restaurant
Tax Code: 039-012-16
Total Parcel Tax Value: \$410,710
- TT. Project:** Brookshire Boulevard Widening, Parcel #16
Owner(s): Bharti Patel and Ashokkumar Patel and Any Other Parties of Interest
Property Address: Brookshire Boulevard
Property to be acquired: 3,467 (0.080 ac.) of Fee Simple, Right-of-Way, plus Permanent Drainage Easement and Temporary Construction Easement
Improvements: None
Purchase Price: \$9,375
Remarks: This acquisition is required for the Brookshire Boulevard Widening project. Compensation was established by two independent, certified appraisals and an appraisal review. City staff has yet to reach a negotiated settlement with the property owner.
Zoned: B-1
Use: Single Family Residential/Vacant
Tax Code: 039-012-24
Total Parcel Tax Value: \$383,260

49. Meeting Minutes

Action: Approve the titles, motions and votes reflected in the Clerk's record as the minutes of:

- **June 17, 2002 Budget Retreat**
- **June 17, 2002 Zoning Meeting**
- **June 19, 2002 Budget Straw Votes**
- **June 24, 2002 Business Meeting**